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ADVISORY COMMITTEE ON SPECIAL NEEDS

The 1988 Report of the

Advisory Committee on Special Needs

to the Minister of Education

The Honourable Len Derkach

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ADVISORY COMMITTEE ON SPECIAL NEEDS,

REPORT, 1988

90-05596/

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REPORT OF THE ADVISORY COMMITTEE ON SPECIAL NEEDS
OCTOBER, 1988

1.0 INTRODUCTION

1.1 Committee Membership

In 1987, the Minister of Education formed an Advisory Committee on Special Needs. At the Minister's invitation, each of the following organizations named a representative to serve on the advisory committee:

Organization	Representative
Association for Bright Children	Leslie Gordon
Association for Community Living	Judith Walker
Manitoba Community Services	Brian Law
Council for Exceptional Children	Cathi Hill
Learning Disabilities Association of Manitoba	Gail Isaak
Manitoba Association of School Superintendents	Vera Derenchuk
Manitoba Association of School Trustees	Glenn Dressel
Manitoba League of the Physically Handicapped	Mike Rosner
Manitoba Teachers' Society	Alan Wiebe
Society for Manitobans with Disabilities	John Robertson
Special Education Administrators' Association of Manitoba	Del Kitch
University of Manitoba	Richard Freeze

The Minister appointed Mr. Doug Reynolds, Coordinator of Special Services, Interlake School Division No. 21, and at that time, president of the Manitoba Division of the Council of Exceptional Children, and Bert Cenerini, Director, Child Care and Development Branch, to co-chair the committee.

The representatives of the University of Manitoba, Janet Webster, and the Society for Manitobans with Disabilities, Jennifer Hill, resigned from the Committee prior to December, 1987 and were replaced by these organizations with new nominees.

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1.2 Committee Mandate

The Minister requested that the committee identify priorities concerning special needs programs and services in our province and submit recommendations for Ministerial consideration. While the Minister expected the committee to identify broad issues and concerns in special needs education, the following specific terms of reference were included in the committee's mandate:

a) mainstreaming,
b) program accountability,
c) parental involvement,
d) professional development and education,
e) formalizing special needs policies,
f) priorizing programs and services within the context of financial constraints.

At its meeting of May 21, 1987, the Advisory Committee also agreed to focus on the following terms of reference:

g) funding processes,
h) research and evaluation of programming for children with special needs,
i) roles of Manitoba Education, Community Services and Health in serving children with special needs.

The Advisory Committee held two introductory and organization meetings in May and June, 1987, and began to specifically address its mandate in September, 1987. A system of subcommittees was established to focus on each specific term of reference and to prepare working papers for consideration by the committee as a whole. The Advisory Committee, with broad representation from educational organizations, special interest groups and community service organizations, considered each issue and term of reference in considerable detail. The committee as a whole met thirteen times to review sub committee reports and to complete its

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task. The final report, respectfully submitted to the Minister, the Honourable Len Derkach, generally reflects the concensus of the committee.

2.0 THE PHILOSOPHY STATEMENT FOR SPECIAL NEEDS

2.1 Society and the Child

The values of a society are reflected in the care and opportunities that society provides for all children. The best interests of all children are a fundamental and compelling responsibility of society.

2.2 The Aim of Education

The focus of our educational system is the student's well-being. The aim of education is to help students develop knowledge, skills, and positive attitudes so that they will become self-confident, capable, responsible individuals, committed to setting goals, making informed choices, and being responsible for enhancing their own lives and the life of their community.

Education is a lifelong pursuit and a continuous process by which individuals learn to cope and to function within their environment. Education must be more than the provision of academic experiences to students. Students at any stage of their development have varying strengths, exceptionalities, capabilities and needs - physically, emotionally, intellectually and socially. Educational programming and the staff who nurture and serve the growth and development of the diversified needs of our children are fundamental to the development and delivery of a meaningful learning environment.

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2.3 The Educational Partnership

A collaborative and meaningful partnership between home and school will enhance success for children. A partnership involving parent(s),* guardian(s), designated care givers and professionals is essential if appropriate educational opportunities are to be provided to all studebts. It is even more critical for students with exceptional educational needs. Home-school collaboration through involving parent(s), and the child in the educational process is an effective means for accomplishing this partnership.

The family is the basic source of care, nurture and acculturation for children. Parents have the primary responsibility to ensure the well-being of their children. The rights and responsibilities of the family and their children must be respected in any educational process.

In terms of students with exceptional needs, the school system should encourage an awareness in all students that students with exceptional needs all have the same rights, and the same needs as others. The school system should foster the acceptance of those who may be differently abled or gifted.

Communities and their schools are by nature heterogeneous. The first consideration in planning for a child with exceptional needs should be placement in the neighbourhood school. Students' exceptional needs shall be met by the provision of special aids, services, curricula and appropriate professional development. Alternate educational placements shall be provided only after serious attempts to provide services in the mainstream have been explored. Placement of exceptional students in their neighbourhood schools not only benefits the individual child, but also benefits and sensitizes the community and its schools.

*In context of this paper, parent(s) shall mean and include a natural parent(s), guardian(s) and/or person(s) responsible to provide care for a child.

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3.0 BASIC PRINCIPLES OF EDUCATIONAL EQUITY:

3.1 Universal Access

All students must be guaranteed universal and free access to public education.

3.2 Equal and Appropriate Education

Equal educational opportunity provides the means by which every student can strive to meet his/her potential. Appropriate educational placements, programming and opportunities must be designed to challenge the full potential of each student.

"Since each child in the Province has the right to develop to the fullest extent possible as a confident and valued member of our society, there is a responsibility for the provincial government and those who provide educational services in the public school system to ensure that the child with special needs has an equal opportunity to receive a meaningful and appropriate education." (Minister of Education, Manitoba, 1983)

3.3 Assessment for Instructional Programming

Assessment is an essential component in planning appropriate programming for students. All students have a right to an appropriate assessment and programming process. The assessment processes must be comprehensive, continuous, culture-fair, prescriptive and appropriate for the student.

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3.4 Educational Placement

All students have the right to an education appropriate to their specific needs. The placement of students should be determined by the criteria of and consideration for the "least restrictive environment" which provides a challenge for the student and is in his/her best interests. The child's sense of continuity and need for permanency should be considered when educational opportunities are developed.

In keeping with the recommendations of the World Programme of Action Concerning Disabled Persons, 1983,

"Basic criteria are to be met when developing educational programs and services for disabled children and adults. These services should be:

(a) **Individualized**, i.e., based on the assessed needs mutually agreed upon by authorities, administrators, parents and disabled students and leading to clearly stated curriculum goals and short-term objectives which are regularly reviewed and where necessary revised;

(b) **Locally accessible**, i.e., within reasonable travelling distance of the pupil's home or residence except in special circumstances;

(c) **Comprehensive**, i.e. serving all persons with special needs irrespective of age or degree of disability, and such that no child of school age is excluded from educational provision on grounds of severity of disability or receives educational services significantly inferior to those enjoyed by any other students;

(d) **Offering a range of choices** commensurate with the range of special needs in any given community."

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3.5 Parental Involvement and Responsibilities

Meaningful involvement by parents and the students at each step of the education process is essential. Information sharing is a shared responsibility of the parents and the school. Parents have a responsibility to nurture and support the growth of their children - socially, emotionally, intellectually and physically.

3.6 Resolution of Differences

Where differences of opinion occur about a placement and program recommendation, every effort should be made to resolve such differences within the local jurisdiction. If differences cannot be resolved, then an appeal process, governed by the principles of procedural due process, shall be entered into by both parties. Should the provincial process not resolve the differences, either party may request independent and impartial provincial arbitration.

A student shall have the right to be present at any stage of the mediation or arbitration process if he or she chooses. The student shall be informed of the purpose and procedures of the hearing. He/she shall have the right to speak on his/her behalf or the right to designate someone to speak for him/her.

3.7 Access to student information

Parents should have access to all written information contained in their child's records. Parents too have an obligation to provide pertinent information which assists schools in the educational process.

Any records that include the child's name, address, and personal information are to be maintained in confidence and may be disclosed to participating agencies only with the parent's permission.

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4.0 MAINSTREAMING

Mainstreaming, integration, and normalization are terms that refer to the current educational philosophy and practices of educating exceptional children in regular program classes for all, or part of, the school day. This philosophy accentuates the positive acceptance of individual difference. Each child should be educated in the most enabling environment possible in which a child's educational and social needs can be addressed.

All children, including the full range of children with exceptional needs, should be enrolled in an age appropriate setting in their neighbourhood school. In most cases, they will be educated with their peers. Children with exceptional needs will require supplementary supports, differentiated curriculum, and services while in the regular classroom.

When extensive and appropriate individual program planning indicates that education in regular classes with the provision of supplementary supports and services cannot meet their needs, then alternatives to regular class programming should be developed. In some exceptional cases, pre or post enrollment diagnosis and planning may indicate a part or full time placement away from the regular classroom as the most enabling environment. The educational plan should be goal centered and focus on enabling the student to be placed in his or her classroom of enrollment.

The long term educational plan may necessitate that children are enrolled in schools other than their neighbourhood schools for specialized programs such as second language, education work experience, enrichment programming, learning assistance, and other exceptional opportunities. Parents of exceptional children may apply to their local school division/district to have their children participate in specialized programs. However, entry to these programs should not be based on a child's handicapping condition alone, but on the long-term educational plan which is the most enabling educational resource to meet the child's educational need.

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It is important that Mainstreaming be accompanied by a commitment to provide a comprehensive support system for children and their teachers. Research indicates that teacher skills and attitudes are the most important factors for successful integration. Teachers, as part of the process, through pre-service and in-service education, must be prepared to:

(a) assist in assessing student needs,
(b) plan, develop and evaluate appropriate individual programs,
(c) organize the environment,
(d) serve as models of appropriate behaviour and interactions,
(e) interpret the environment to students, and,
(f) facilitate social/interpersonal interaction among students.

In planning for successful mainstreaming, some of the factors that must be considered are:

(a) assessment and placement processes through legislation and local policy,
(b) time tabling,
(c) class size,
(d) facility renovations, and,
(e) the variety of support services available at each building where integration occurs.

To ensure that opportunities for the successful integration of children with special needs are maximized, the following recommendations are proposed:

Recommendation 1

Since the Manitoba Public Schools Act omits any reference to special needs education, it is recommended that legislation and regulations be developed which will direct school divisions to establish educational programs for exceptional students which will include:

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(a) The right of children with exceptional needs to placement in the most enabling environment, which typically is the regular classroom,

(b) The right of each child to have an individual education plan developed (Appendix 2),

(c) The right of each student to be provided with a differentiated curriculum and specialized services.

Successful integration recognizes that all children are equal in their right to educational placement in the most enabling environment. The recommended legislation and regulations would state that School Boards must demonstrate that an integrated placement for any child is not a productive alternative. In effect, this would simply place the onus on those who would deny the right to integration for demonstrating, through evidence, that integration is not a suitable option in a particular case.

Recommendation 2

It is recommended that the legislation and regulations of Manitoba Education direct that each School Division develop and regularly review policies on the educational services for students with exceptional needs which include statements of philosophy, practices and procedures which the Board develops in consultation with parents, educators, and students.

5.0 PROFESSIONAL DEVELOPMENT AND EDUCATION

Professional Development and Education are essential components for supporting the successful implementation of special needs programs and services. It is the shared responsibility of Manitoba Education, the universities, school divisions and educators to ensure that all those involved in the education of children with special needs have opportunities to enhance their skills.

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University undergraduate teacher certification courses, fifth year resource and special class teacher programs, and graduate special education programs must ensure that such programs meet the exceptional needs of all children in Manitoba.

Professional development planning must include programs for administrators, consultants, teachers (regular, special and resource), paraprofessionals, parents, and volunteers. Leadership by Manitoba Education in professional development programming is essential in order to ensure that consistency of the quality of education is enhanced throughout urban and rural areas.

Recommendation 3

That Manitoba Education ensure that identified minimum competencies in special education theory and practice are provided at the University undergraduate level.

The methodology involved in the differentiated instruction of students with exceptional needs, from the educationally disabled to gifted and talented students, should be an integral part of each curriculum course at the undergraduate level.

Recommendation 4

That Manitoba Education outline in regulations a mandatory fourth year undergraduate course in special education for all teachers in the certification program.

It is further recommended that the course outline include an overview of Manitoba legislation, departmental policies, and funding mechanisms relevant to special education and the development of skills needed to:

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(1) provide differentiated instruction in the regular classroom,

(2) implement and monitor modified programs for the full spectrum of children with exceptional needs,

(3) sensitize classroom peers to students with exceptional needs,

(4) maintain a positive and co-operative liaison with the parents of students with exceptional needs,

(5) consult and collaborate with co-operating teams of educators and parents,

(6) assist in the management of paraprofessional aides and volunteers.

Recommendation 5

That Manitoba Education require training in the fifth year professional certification program in Special Education, which would include skill development in:

(1) the consultative/collaborative mainstreaming model including interaction with teachers, parents, paraprofessionals, volunteers, administrators, consultants, and other special education professionals,

(2) child development and classroom management,

(3) the scope and sequence of instruction and skills at the early years, middle years, and senior years levels,

(4) the diagnostic academic assessment procedures and modifying programming for the socialization and differentiated instruction of students in the regular classroom,

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(5) collaborating with the social service network available to students,

(6) facilitating the professional development of teachers.

Recommendation 6

That Manitoba Education take leadership in the setting of goals and objectives for professional development in the area of special education and in the implementation of models for the professional development of teachers (regular, special and resource), administrators, consultants, support services personnel, paraprofessionals, volunteers, and parents.

Manitoba Education goals, objectives and a provincial plan of action should be clearly identified. Within the parameters of the provincial directions, each school division is responsible for establishing its own goals and objectives and divisional and school plans of action. Manitoba Education, other government and non-government groups and school divisions have a shared responsibility for funding professional development; thus, professional development planning and delivery has the potential to be provided at provincial, regional, school division and school levels.

The models being recommended should address:

(1) Professional development needs surveys to be carried out among teachers (regular, special, and resource), administrators, consultants, support services personnel, paraprofessionals, volunteers, and parents,

(2) Training of selected individuals from school divisions who will develop skills to conduct in-services at the divisional and regional levels,

(3) Availability of a "Resource Manual" for the trained individuals conducting inservices,

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(4) The variety of ways by which divisional staff may be inserviced - the use of allocated divisional professional development days, release time, leaves of absence, etc.

Recommendation 7

That Manitoba Education negotiate with the universities to expand existing graduate programs in special education at Manitoba's universities and that for specialized programs not offered in Manitoba, bursaries be made available to teachers to train outside Manitoba.

The offering of special bursaries should be based on the identified needs of Manitoba's educational system and be tied to a requirement for the trainee to return to employ their skills in Manitoba in accordance with the service agreement between a student and the Province of Manitoba.

Special Education training programs at the graduate level should be developed to assist in meeting the educational needs of all students.

Recommendation 8

That Manitoba Education provide funding for scholarships and bursaries for educators who may wish to pursue graduate and post-graduate work in special education.

Recommendation 9

That Manitoba Education, in collaboration with school divisions and universities, provide leadership and funding support for the delivery of division-based professional development courses in special education that are accredited by the universities, or accepted for certification by Manitoba Education.

Teleconferencing, knowledge networking, and on-site visits would be facilitated and would enhance rural and northern professional development opportunities.

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Recommendation 10

Because teacher assistants are involved in delivering special needs programs and services to children presenting the most challenging needs, it is recommended that Manitoba Education conduct a study to determine the need for certification of teacher assistants.

6.0 HOME AND SCHOOL PARTNERSHIP

The philosophy statement for special needs, Section 2.0, articulates that the partnership between home and school is an essential component if appropriate educational opportunities are to be provided to all students, and even more critical for students with exceptional educational needs.

A team approach with parents, recognized as full and equal partners in the education of their children, positively influences a child's attitudes and achievement in the classroom. Further, when educational goals are shared between the home and school, then mutual responsibility is shared. The kind of meaningful parent involvement proposed, enhances community support for schools and school programs and develops a sense of community ownership, commitment and pride in our education system.

6.1 Home and School Partnership Responsibilities

Manitoba should have an operative framework in statute or regulation which supports the development of a home and school partnership in school divisions/districts throughout our Province. School boards should develop and implement guidelines which conform to provincial policies and ensure that each school and school division develops substantive approaches to successful home-school collaboration.

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In meeting the needs of their children, parents have an obligation to become involved in their children's education. They should be aware of school programming and resources and take the time to understand the needs of their children. It is essential, therefore, that information describing educational programs, resources and services designed for children with exceptional needs should be made available to parents.

Every family and child is unique. Families with exceptional children often face demanding and complex parenting tasks. The environment within the family of each exceptional child is unique due to the exceptional needs of the individual child, as well as the needs of other family members. While the school may shoulder the responsibility of an exceptional child for a finite period, the home responsibilities rarely end. For these reasons, the school should respect and understand the unique life experiences of each child, parent and family.

Parents are often the first to sense that their child is exceptional. It is, therefore, essential to involve parents at the earliest possible moment, before decisions are made and when possible educational alternatives are being developed or considered. Parents often can furnish educators with pertinent information and insight with regard to a child's early development, personality profile, exceptional needs, abilities, concerns, or interests which are essential in developing an appropriate individual educational plan. Parents and professionals working together can identify what information is relevant, what individualized assessments should be undertaken, and what decisions are in the best interests of the child.

A meaningful home-school partnership is based on a sense of mutual trust and openness. It is important, therefore, that school professionals and parents develop specialized skills which encourage effective collaboration. Professionals and parents need to be effective listeners, maintain non-critical and non-judgmental attitudes, use jargon free language, develop a sensitivity to each others expectations

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and needs, and maintain an open, caring, and supportive attitude to home and school problems. These attitudes and skills encourage mutual trust, sharing and team work.

The development of the home and school partnership is the task of educators, school divisions, school boards, and families. Although local circumstances may vary widely throughout the province and the availability of resources and appropriate programs are different from one part of the province to another, it is essential that parity must be achieved across the province in order to enhance educational equity for all children in Manitoba.

6.2 The Role of Procedural Due Process

Parent involvement in the education of students who have exceptional needs has the potential for both cooperation and disagreement between parent(s), and educators. The potential for cooperation should be most strongly reinforced and must emphasize mutual respect, openness, fundamental equality, and a free exchange of information.

In instances where the partners in the education process are unable to resolve disagreements, the principles of due process should be applied to assist in resolving outstanding concerns.

A common misconception is that due process procedures are intended to be applied only in the context of formal hearings. The principles of due process are based on the spirit of natural justice (See Appendix 3, Page 46). By applying these principles to the decision making process, a sense of fairness can be achieved.

6.3 The Need for Mediation

If parent(s), and educators are unable to reach mutual agreement on what is best for a child, every effort should be made to resolve their

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differences locally. This local process, although informal, should be guided by the principles of procedural due process. The emphasis in the mediation process should be on collaboration. Parents should feel that their concerns and expectations have been fairly addressed and included in final recommendations. Parents have the right to appeal decisions to their local school board. In certain cases, involvement at the provincial level may be required to facilitate this problem solving process.

6.4 The Provincial Hearing Process

The formal hearing process must be consistent with legal practice and guidelines. This is an adversarial process and, as such, careful attention must be given to all aspects of procedural due process. An adversarial hearing process is difficult for both parents and professionals; therefore, every attempt should be made to settle disagreements through mediation.

Hearings should be accessible to both parents and educators. For example, if minorities or disadvantaged families are to be served by this process, advocacy services must be made available to assist the family in adequately representing the needs and interests of their children. All parties should have the right to have a lawyer, advocate, or experts present and to present evidence and to cross examine witnesses whose attendance can be compelled. The burden of proof regarding the efficacy of a placement recommendation should lie with the school division/district.

School divisions shall be accountable for ensuring that recommendations resulting from the hearing process are implemented. In dealing with appeals, the issue of timing is crucial. A successful appeal may be of no value to a student if, as a result of delays, that student has fallen too far behind. Decisions regarding educational opportunities for students with exceptional needs must, therefore, be expeditious. It is suggested that time lines for resolving disputes be defined.

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Recommendation 11

That the Public Schools Act be amended to secure the right of parental involvement in the decision making processes regarding their children's education.

Legislation and regulations should be based on the goals of the home and school partnership: (a) adherence to democratic principles through involvement of parents by providing access to information and student records, and, (b) ensuring that the role of educators is enhanced by involving parents in the planning and decision making processes, including the determination of exceptional needs, student placements, educational programming, and the delivery and/or revision of services.

Recommendation 12

That the Public Schools Act be amended to ensure that procedural due process and appeal mechanisms are established in matters relating to decision making about a child's education. Legislation is recommended to ensure that the rights and interests of children, their families, and school divisions/districts, are protected and equitably served.

Recommendation 13

That the Department of Education provide provincial guidelines for the home and school partnership. Details of some suggested guidelines can be found in the following sections: Guidelines Towards Home/School Partnership (Appendix 1, page 41), Steps in Developing an Individual Education Plan (Appendix 2, page 43), and Principles of Procedural Due Process (Appendix 3, page 46).

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Recommendation 14

That the Public Schools Act be amended to include the provision that a written Individualized Education Plan be provided for children who, as a result of their exceptionality, require individualized programming and significant modifications in their education program.

Recommendation 15

That a mediation process be available in all school divisions and districts. The process should be governed by the principles of procedural due process and conducted in a spirit of cooperation.

Recommendation 16

That the Public Schools Act should be amended to guarantee the right to a fair and impartial hearing.

Recommendation 17

That the Minister of Education establish a Provincial Appeal Committee comprised of three members. All members selected shall be impartial and knowledgeable in matters subject to appeal. The decision of the Appeal Committee shall be final, notwithstanding a court review.

Recommendation 18

That every School Division and District establish a Special Education Advisory Committee to discuss issues and areas of concern and make recommendations for consideration by individual school boards. The Committee would be comprised of educators, administrators, parents, and representatives from special needs associations and social service agencies.

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7.0 EDUCATIONAL PROGRAM AND SERVICE ACCOUNTABILITY

7.1 Accountability - Manitoba Education and the School Divisions

In Manitoba, as a matter of public policy, all children are entitled to free public school education. This basic principle, embodied in Section 41(4), 1980, of the Public Schools Act, requires that: "Every school board shall provide or make provision for education in Grades 1 to XII inclusive for all resident persons who have the right to attend school". This mandate, ensuring universal access to education programming as a right, irrespective of handicapping conditions, is consistent with directions throughout North America and the Western industrialized democracies.

Although the Public Schools Act guarantees school attendance as a right, the Act is silent on whether an education or a program of instruction consistent with a student's educational needs and abilities must be provided.

In the absence of formal written provincial policy statements, Manitoba Education has determined policy directions through a combination of funding procedures, regulations, and periodic correspondence to school divisions from Ministers of Education. In combination, this forms the basis of an informal consensus for provincial program and service directions. However, in the absence of legislation and declared formal policies and standards of practice, provincial program and service accountability is difficult to maintain. School divisions vary significantly, therefore, in the scope and nature of divisional policies and procedures which determine the levels as well as the quality and standards of programs and services provided for children with special needs.

Manitoba Education is responsible for articulating a provincial mission statement, with policy manual, to give leadership to school divisions implementing programs and services for students with exceptional needs.

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Manitoba Education also has responsibility for providing a Provincial policy manual and for assisting divisions with specialist resources and financial support. Such a provincial mission statement combined with a manual of current policies and standards of practice would more clearly define the responsibility for which both Manitoba Education and school divisions are to be held accountable.

Within the parameters of the provincial mission statement and policies, school divisions are responsible for formulating and articulating their own divisional mission statements and specific implementation policies for the education of students with exceptional needs. In keeping with those statements, the school divisions should develop both short and long term goals and objectives and develop written procedures for involving specialists, support staff, teachers, parents and the child in the referral, assessment and education program planning process.

Each school division in its annual planning document should have written descriptions of educational approaches and the programs and services provided to meet its stated goals and objectives.

Recommendation 19

That Manitoba Education develop and articulate a provincial mission statement and a policy manual, revised as necessary, pertaining to the education of children with exceptional needs.

Recommendation 20

That, within the parameters of the Manitoba Education mission statement and the Policy and Procedural manual, school divisions develop their own current mission statements and policy and procedural manuals in consultation with parents, educators and students.

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7.2 Accountability - Public School System and Interdepartmental/Interagency Services

"Deinstitutionalization", "non-institutionalization", and the development of community based services continue to impact on the role school divisions play in providing special education programming and support services. As increased numbers of children with a wider range of severe handicapping conditions enroll in their home school divisions, the pressure for very specialized consultation and expertise in special education programming and psycho-educational support services also increases.

Manitoba Education does provide financial support to school divisions to employ specialist personnel, school clinicians, resource teachers, special classroom teachers and teacher assistants to facilitate the development of flexible program options designed to meet the individual educational needs of children. However, increasing numbers of children attending the public school system require continued health and social service support to function successfully in the community and the school. Children who need personal care or nursing services, quasi medical services such as physio and occupational therapy, intensive psychiatric services, child welfare services, or twelve month programming, need a coordinated service and programming response from government departments and community agencies involved. However, the complex network of statutory and nonstatutory health and social services do not have clear mandates to provide resources and support to children in their school programs. Moreover, the traditional jurisdictional separation of responsibilities for services to children with multidimensional needs does not respond effectively to the current realities of an integrated school system.

There is a need to identify health and social service areas which overlap with education and educational programming for students. The

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provincial piecemeal approach to delivering services to the child in the educational system and to the school division which is ultimately responsible for the program must be examined and evaluated with the objective of enhancing effectiveness.

Recommendation 21

That the Minister of Education, with his colleagues, initiate a review of the existing service mandates of Manitoba Education, Health, and Community Services, in order to identify new organizational structures which would provide a more effective and coordinated service response for children with multidimensional needs enrolled in the public school system. It is further recommended that this review identify funding mechanisms and responsibilities in the respective departments to pay for medical and personal care services provided in schools for children with such needs.

Recommendation 22

That Manitoba Education and Community Services ensure that all school age children resident in institutional settings be provided with access to education programming.

8.0 RESEARCH AND EVALUATION

It is important to demonstrate how effective special education programs, including programs of integration with regular classrooms, are in providing instructionally sound education and services which have merit and worth and contribute to the growth of children. Routine and systematic program evaluations provide information for making decisions on the processes and impacts of programs and services provided to children with exceptional needs. In addition to the evaluation of existing Manitoba-used programs, based on valid research techniques, current research data should be readily available to all Manitoba special educators and parents of children with exceptional needs.

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At the local level, the program evaluation process should include planning which involves regular and special education teachers, parents, administrators, students, division staff, school board and community. Other resources and special interest groups are valuable sources of information. The program evaluation process includes data collection, data analysis, reporting of results and plans for implementing action for program improvement. Some areas addressed through program evaluation may include student referral, evaluation and placement practices, student progress and outcomes, school and classroom climate, staff behaviours and satisfaction, implementation strategies including the application of the resources and the overall organization of programs, services, resources and instructional practices.

At the provincial level, the service delivery system which provides special education supports in the field should be reviewed. A mechanism for ongoing evaluation, which would include both the providers and the users of the service, should be established.

The technology of special education instructional models and techniques is developing at an incredibly rapid pace. What is needed is a central research/resource base able to provide research information on the new technologies in relation to their merit, cost-benefit and acceptability and to arrange for their testing under Manitoba conditions, and then to promote awareness of their effectiveness.

Recommendation 23

That the Minister of Education establish a research section within the Child Care and Development Branch to: a) coordinate the systematic assessment and field-testing of instructional strategies, b) promote awareness of relevant new technologies for children with exceptional needs, c) disseminate relevant research and evaluative information to school divisions/districts, and, d) establish a mechanism for review and ongoing evaluation of the provincial service delivery systems.

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Recommendation 24

That Manitoba Education determine the effect the integration of students with very severe disabilities has on the role of resource teachers in providing services to students requiring high incidence support. It is further recommended that Manitoba Education complete a study to determine what the needs of regular classroom teachers are in terms of consultative support services, professional development activities and curriculum and resource materials required to ensure the successful integration of children with exceptional needs.

9.0 SPECIAL EDUCATION FINANCE

A special education system which ensures that the stated goals of provincial mission statements and policies are attainable must provide funding to school divisions for special programs and services essential to a child's development in the academic, physical, emotional, and social areas. Gaps in special education programs and services continue to exist, in part, because existing funding patterns respond inconsistently to emerging needs. The following financial recommendations are proposed to address the changing requirements of children with exceptional needs.

Recommendation 25

In light of the provincial direction to fund 80% of total public school education costs, it is recommended that Manitoba Education finance a minimum of 80% of the actual special education costs in each division/district, and that categorical special education grants be indexed to cover the annual costs of inflation.

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Recommendation 26

That Manitoba Education establish a new level of funding which more realistically reflects the actual costs which school divisions/districts experience in providing programs and services for children with profound hearing impairments as well as profound multihandicapping conditions.

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That Manitoba Education study the feasibility of funding independent psycho-educational assessments in extraordinary cases when divisions/districts and parent(s) are in disagreement concerning the validity of previous assessments utilized in program and placement decisions.

10.0 SUMMARY OF RECOMMENDATIONS

Recommendation 1

Since the Manitoba Public Schools Act omits any reference to special needs education, it is recommended that legislation and regulations be developed which will direct school divisions to establish educational programs for exceptional students which will include:

(a) The right of children with exceptional needs to placement in the most enabling environment, which typically is the regular classroom,
(b) The right of each child to have an individual education plan developed (Appendix 2),
(c) The right of each student to be provided with a differentiated curriculum and specialized services.

Successful integration recognizes that all children are equal in their right to educational placement in the most enabling environment. The recommended legislation and regulations would state that School Boards must demonstrate that an integrated placement for any child is not a productive alternative. In effect, this would simply place the onus on those who would deny the right to integration for demonstrating, through evidence, that integration is not a suitable option in a particular case.

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Recommendation 2

It is recommended that the legislation and regulations of Manitoba Education direct that each School Division develop and regularly review policies on the educational services for students with exceptional needs which include statements of philosophy, practices and procedures which the Board develops in consultation with parents, educators, and students.

Recommendation 3

That Manitoba Education ensure that identified minimum competencies in special education theory and practice are provided at the University undergraduate level.

The methodology involved in the differentiated instruction of students with exceptional needs, from the educationally disabled to gifted and talented students, should be an integral part of each curriculum course at the undergraduate level.

Recommendation 4

That Manitoba Education outline in regulations a mandatory fourth year undergraduate course in special education for all teachers in the certification program.

It is further recommended that the course outline include an overview of Manitoba legislation, departmental policies, and funding mechanisms relevant to special education and the development of skills needed to:

(1) provide differentiated instruction in the regular classroom,

(2) implement and monitor modified programs for the full spectrum of children with exceptional needs,

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(3) sensitize classroom peers to students with exceptional needs,

(4) maintain a positive and co-operative liaison with the parents of students with exceptional needs,

(5) consult and collaborate with co-operating teams of educators and parents,

(6) assist in the management of paraprofessional aides and volunteers.

Recommendation 5

That Manitoba Education require training in the fifth year professional certification program in Special Education, which would include skill development in:

(1) the consultative/collaborative mainstreaming model including interaction with teachers, parents, paraprofessionals, volunteers, administrators, consultants, and other special education professionals,

(2) child development and classroom management,

(3) the scope and sequence of instruction and skills at the early years, middle years, and senior years levels,

(4) the diagnostic academic assessment procedures and modifying programming for the socialization and differentiated instruction students in the regular classroom,

(5) collaborating with the social service network available to students,

(6) facilitating the professional development of teachers.

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Recommendation 6

That Manitoba Education take leadership in the setting of goals and objectives for professional development in the area of special education and in the implementation of models for the professional development of teachers (regular, special and resource), administrators, consultants, support services personnel, paraprofessionals, volunteers, and parents.

Manitoba Education goals, objectives and a provincial plan of action should be clearly identified. Within the parameters of the provincial directions, each school division is responsible for establishing its own goals and objectives and divisional and school plans of action. Manitoba Education, other government and non-government groups and school divisions have a shared responsibility for funding professional development; thus, professional development planning and delivery has the potential to be delivered at provincial, regional, school division and school levels.

The models being recommended should address:

(1) Professional development need surveys to be carried out among teachers (regular, special, and resource), administrators, consultants, support services personnel, paraprofessionals, volunteers, and parents,

(2) Training of selected individuals from school divisions who will develop skills to conduct in-services at the divisional and regional levels,

(3) Availability of a "Resource Manual" for the trained individuals conducting inservices,

(4) The variety of ways by which divisional staff may be inserviced - the use of allocated divisional professional development days, release time, leaves of absence, etc.

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Recommendation 7

That Manitoba Education negotiate with the universities to expand existing graduate programs in special education at Manitoba's universities and that for specialized programs not offered in Manitoba, bursaries be made available to teachers to train outside Manitoba.

The offering of special bursaries should be based on the identified needs of Manitoba's educational system and be tied to a requirement for the trainee to return to employ their skills in Manitoba in accordance with the service agreement between a student and the Province of Manitoba.

Special Education training programs at the graduate level should be developed to assist in meeting the educational needs of all students.

Recommendation 8

That Manitoba Education provide funding for scholarships and bursaries for educators who may wish to pursue graduate and post-graduate work in special education.

Recommendation 9

That Manitoba Education, in collaboration with school divisions and universities, provide leadership and funding support for the delivery of division-based professional development courses in special education that are accredited by the universities, or accepted for certification by Manitoba Education.

Teleconferencing, knowledge networking, and on-site visits would be facilitated and would enhance rural and northern professional development opportunities.

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Recommendation 10

Because teacher assistants are involved in delivering special needs programs and services to children presenting the most challenging needs, it is recommended that Manitoba Education conduct a study to determine the need for certification of teacher assistants.

Recommendation 11

That the Public Schools Act be amended to secure the right of parental involvement in the decision making processes regarding their children's education.

Legislation and regulations should be based on the goals of the home and school partnership: (a) adherence to democratic principles through involvement of parents by providing access to information and student records, and, (b) ensuring that the role of educators is enhanced by involving parents in the planning and decision making processes, including the determination of exceptional needs, student placements, educational programming, and the delivery and/or revision of services.

Recommendation 12

That the Public Schools Act be amended to ensure that procedural due process and appeal mechanisms are established in matters relating to decision-making about a child's education. Legislation is recommended to ensure that the rights and interests of children, their families, and school divisions/districts, are protected and equitably served.

Recommendation 13

That the Department of Education provide provincial guidelines for the home and school partnership. Details of some suggested guidelines can be found in the following sections: Guidelines Towards Home/School Partnership (Appendix 1, page 41), Steps in Developing an Individual Education Plan (Appendix 2, page 43), and Principles of Procedural Due Process (Appendix 3, page 46).

Recommendation 14

That the Public Schools Act be amended to include the provision that a written Individualized Education Plan be provided for children who, as a result of their exceptionality, require individualized programming and significant modifications in their education program.

Recommendation 15

That a mediation process be available in all school divisions and districts. The process should be governed by the principles of procedural due process and conducted in a spirit of cooperation.

Recommendation 16

That the Public Schools Act should be amended to guarantee the right to a fair and impartial hearing.

Recommendation 17

That the Minister of Education establish a Provincial Appeal Committee comprised of three members. All members selected shall be impartial and knowledgeable in matters subject to appeal. The decision of the Appeal Committee shall be final, notwithstanding a court review.

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Recommendation 18

That every School Division and District establish a Special Education Advisory Committee to discuss issues and areas of concern and make recommendations for consideration by individual school boards. The Committee would be comprised of educators, administrators, parents, and representatives from special needs associations and social service agencies.

Recommendation 19

That Manitoba Education develop and articulate a provincial mission statement and a policy manual, revised as necessary, pertaining to the education of children with exceptional needs.

Recommendation 20

That, within the parameters of the Manitoba Education mission statement and the Policy and Procedural manual, school divisions develop their own current mission statements and policy and procedural manuals in consultation with parents, educators and students.

Recommendation 21

That the Minister of Education, with his colleagues, initiate a review of the existing service mandates of Manitoba Education, Health, and Community Services, in order to identify new organizational structures which would provide a more effective and coordinated service response for children with multidimensional needs enrolled in the public school system. It is further recommended that this review identify funding mechanisms and responsibilities in the respective departments to pay for medical and personal care services provided in schools for children with such needs.

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Recommendation 22

That Manitoba Education and Community Services ensure that all school age children resident in institutional settings be provided with access to education programming.

Recommendation 23

That the Minister of Education establish a research section within the Child Care and Development Branch to: a) coordinate the systematic assessment and field-testing of instructional strategies, b) promote awareness of relevant new technologies for children with exceptional needs, c) disseminate relevant research and evaluative information to school divisions/districts, and, d) establish a mechanism for review and ongoing evaluation of the provincial service delivery systems.

Recommendation 24

That Manitoba Education determine the effect the integration of students with very severe disabilities has on the role of resource teachers in providing services to students requiring high incidence support. It is further recommended that Manitoba Education complete a study to determine what the needs of regular classroom teachers are in terms of consultative support services, professional development activities and curriculum and resource materials required to ensure the successful integration of children with exceptional needs.

Recommendation 25

In light of the provincial direction to fund 80% of total public school education costs, it is recommended that Manitoba Education finance a minimum of 80% of the actual special education costs in each division/district, and that categorical special education grants be indexed to cover the annual costs of inflation.

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APPENDIX 1

Guidelines Towards a Home/School Partnership

Step One:

Creating an Effective Communication Link between Parents and the Regular Classroom Teacher(s):

Specific concerns of parents and teachers can often be addressed through effective communication. Often such informal discussions can create a dynamic tool for meeting the needs of the exceptional child. The parent(s)/teacher(s) may identify specific resource needs of the exceptional child. As a result, specialist support may be obtained as needed. The most effective first step towards positive collaboration, therefore, is to establish meaningful and ongoing communication with the regular classroom teacher.

Informational meetings should take place, as needed or requested, and should be arranged at the mutual convenience of parent(s) and teacher(s).

Step Two:

Creating an Effective Communication Link with Administrators:

Parent(s), principals and teachers should meet on a regular basis to discuss a child's progress and his/her changing needs. These meetings will enhance a shared understanding of the child's educational needs as well as the expectations of the parents and school. If there are concerns that parent(s) want reviewed, parent(s) should make such requests to the school principal and/or specialist(s) involved.

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Step Three:

Collaboration Approach to Assessment and/or Identification Strategies

Informed Consent Needed For Formal Assessments: In order to fully involve parents, all individual formal evaluation and assessment strategies which may lead to alternative programming or placement shall require informed written consent. In this context, school divisions shall develop guidelines and procedures.

Step Four:

Developing an Individual Education Plan:

Informed Consent Needed: There must be a continual, dynamic, and individual education planning process which focuses on the child's needs. An individual education plan which has specific, measurable objectives, should be developed in consultation with parent(s). (See Appendix 2, Page 43, for Steps in Developing and Individual Education Plan.)

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APPENDIX 2

STEPS IN DEVELOPING AN INDIVIDUAL EDUCATION PLAN

Step One:

Getting to Know the Child in the Regular Classroom

In context of preliminary planning which may have taken place before a child enters the classroom, an important aspect of meeting the needs of an individual child is the opportunity for the regular classroom teacher to get to know the child in the regular classroom setting. During the first several weeks of school, the regular classroom teacher, working with the parent(s), may determine if any additional resources are needed. As the regular classroom teacher has the primary responsibility for the implementation of the individual education plan, she/he is often better able to identify the child's strengths, individual needs, and what will be most helpful in the classroom. The teacher, therefore, who will be working with the child has an important responsibility as a member of the team for the process of assessment, planning and implementation.

Step Two:

Establishing a Multi-disciplinary Team:

Key members of the team should include parent(s), educators, and the child, where possible. Specialists may be involved to assist the team.

Step Three:

The Planning Meeting:

The planning meeting shall:

1) be based on an agenda, through which the purpose of the meeting will be shared with all participants in advance,

2) so timed that all participants have the opportunity to attend,

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3) allow for the sharing of all relevant information based on the individual needs of the child, including the child's unique strengths and abilities,

4) allow for interpretive services for participants whose native language differs from the language of the meeting,

5) determine if additional information is required to complete the Individual Education Plan,

6) consider the appropriateness and non-discriminatory nature of the assessment process,

7) proceed to the development of the Individual Education Plan if all information is available or schedule a time-appropriate meeting to complete the Individual Education Plan if additional information is pending,

8) incorporate the parent(s) role in the home as a complement to the school based plan,

9) make provision for the sharing of copies of the Individual Education Plan to all planning participants.

Step Four:

The Individual Education Plan should include:

1) A statement of the child's strengths and present levels of educational performance,

2) A statement of short and long term instructional goals and objectives,

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3) The implementation plan should delineate:

a) what programming needs to be provided,
b) who assumes specific program responsibilities,
c) the role of the parent(s) in the home setting to complement the educational plan,
d) the monitoring process, including scheduled opportunities for mid-course program adjustments and modifications,
e) the evaluation procedures, including timelines and formal review dates,
f) the names of resource personnel involved and their responsibilities for implementing the program.

Step Five:
Review of the Individual Education Plan:

Ongoing monitoring and evaluation of short and long term goals and objectives are part of each Individual Education Plan. Maintaining a continuing dialogue with regard to what is best for the child, what resources are available, and what is being achieved among parents, teachers, and administrators, is a crucial aspect in the success of an Individual Education Plan and in the relationship between home and school. A formal review should take place minimally two times a year while more frequent informal meetings should be facilitated throughout the year. The need for modification of the individual education plan reflects the changing needs of the individual child. The individual education plan, therefore, should be considered a dynamic outline to be changed whenever it is deemed appropriate. The success of many programs is a long term matter which requires continuing and frequent collaboration between parents and educators.

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APPENDIX 3

Principles of Procedural Due Process

Procedural due process involves the use of policies, guidelines, and procedures that conscientiously protect the rights of children, parent(s), and educators in the spirit of natural justice. The process defines principles which bring fairness to decision-making, involving the home/school partnership. The following principles are meant to guide the process by which children's rights are protected and their interests served:

1. Home/School Partnership: Parent(s) and educators rights and responsibilities should be equitably served in the home/school partnership.

2. Informed Consent: Before a school can do an individual formal assessment beyond the procedures generally used with children in schools, the proposed procedures must be explained to the parent(s) and the parent(s) must provide written consent. The following shall be provided to parent(s):

   (a) the purpose of the individual formal assessment,
   (b) a description of assessment procedures,
   (c) a full explanation to the parent(s) of all procedural options available, with all information interpreted to parent(s) in their language.

   Schools shall maintain written records in matters of parental consent.

3. Notice to Parent(s): Every attempt should be made to schedule meetings involving the home-school partnership at a mutually convenient time to ensure that all interested individuals are given the opportunity to participate.

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4. Right to an Independent Evaluation: An independent evaluation initiated by parent(s) shall be considered in any pending decision concerning a child's individual programming and placement.

5. Access to Information: It is important that parent(s) and educators be fully informed in all matters with regard to the child's education in order that they are better able to make informed choices in the child's best interest. Parent(s) and educators shall be informed about available resources, services, and program options which may meet the individual needs of their exceptional child.

6. Access to Records: Parent(s), or those designated by parents shall have the right to review and obtain copies of records relating to their children which are collected, maintained, or used by a school or agency. Parent(s) or their representative may request and receive an explanation or interpretation of specific records or information. Similarly, parent(s) have a responsibility to contribute information pertinent to the child's educational programming. Such requests for information should be handled expeditiously.

7. Access Procedures: Sensitive access procedures are needed. File contents shall remain confidential and access shall be limited to parent(s) and professionals involved with the child.

8. Amendments/Deletions to Files or Records: Parent(s) may add any relevant information to their child's file as well as delete any information which is demonstrated to be inaccurate or misleading.